

**AN ORDINANCE
BY FINANCE EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICE TO WRITE OFF DEPARTMENT OF WATERSHED MANAGEMENT WATER AND WASTEWATER ACCOUNTS RECEIVABLE IN THE AMOUNT OF FIVE HUNDRED FOUR THOUSAND ONE HUNDRED TWENTY-ONE DOLLARS AND TWENTY-TWO CENTS (\$504,121.22) WHERE IT HAS BEEN DETERMINED THAT SUCH ACCOUNTS ARE UNCOLLECTIBLE; AND OTHER FOR PURPOSES.

WHEREAS, pursuant to Ordinance 90O1324 adopted by the City Council on August 20, 1990 and approved by the Mayor on August 23, 1990, the Chief Financial Officer has the authority to administratively write-off or otherwise discharge any account receivable in any amount not exceeding Ten Thousand Dollars and No Cents \$10,000.00 which is held by the City of Atlanta against any person, organization, or entity, either public or private, however created or arising, whether by contract, open account, judgment, fi fa, lien or otherwise; and

WHEREAS, the City's auditors in accordance with generally accepted accounting principles stated that the Department of Watershed Management's accounts receivable should be written off to accurately reflect the value of accounts receivable assets in the City's financial statements; and

WHEREAS, the City's auditors have recommended that the City review its aged accounts receivable on the general ledger and perform annual write-offs of accounts deemed uncollectible; and

WHEREAS, the Department of Watershed Management has determined that there are twenty-seven (27) accounts with balances in excess of ten thousand dollars (\$10,000) that are uncollectible; and

WHEREAS, the Chief Financial Officer has determined that twenty-seven (27) outstanding water and wastewater accounts cumulative balances that total Five Hundred Four Thousand One Hundred Twenty-One Dollars and Twenty-Two Cents (\$504,121.22) are uncollectible.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBYORDAINS *as follows:*

SECTION 1:

That the Chief Financial Officer is authorized to write-off twenty-seven (27) outstanding water and wastewater accounts with balances in excess of ten thousand dollars \$ (10,000.00) and greater than four (4) years old in an amount not to exceed Five Hundred Four Thousand One

Hundred Twenty-One Dollars and Twenty-Two Cents (\$504,121.22) herein attached as Exhibit A.

SECTION 2:

The City does not waive its right to accept payments from any account written-off pursuant to this Ordinance, or otherwise waive any legal right to collect such amounts, including the right to enforce a valid lien for such outstanding amounts, except to the extent that any liens are expressly released by the City.

SECTION 3:

That all ordinances and parts of Ordinances in conflict herewith be waived to the extent of the conflict.

Exhibit A

EnQuest Acct	Name	Service Location	Water Balance	Sewer Balance	Total Balance
103922300	HOLLY PROPERTIES LLC	339 HOLLY RD NW	\$17,441.58	\$39,260.28	\$56,701.86
105986301	METROPOLITAN EQUITY ADVI	251 ANDERSON AVE	\$13,713.28	\$35,276.01	\$48,989.29
45982300	GUSTER LUPOE	190 ADAIR AVE	\$15,089.27	\$32,745.56	\$47,834.83
47865300	JOHNNY BURKE	686 CEDAR AVE NW	\$6,415.76	\$15,740.08	\$22,155.84
85268300	DESOTO INVESTMENT CORP.	1300 MAYSON TURNER RD NW	\$6,417.42	\$14,239.10	\$20,656.52
119090301	LARRY YOUNG	5845 BUTNER RD	\$17,236.87	\$0.00	\$17,236.87
104956300	MICHEAL JOHNSON	175 WALNUT ST	\$4,878.55	\$11,957.07	\$16,835.62
110686301	DEBORAH ROLAX	560 OAKSIDE DR	\$4,888.74	\$11,403.38	\$16,292.12
21207300	SHIRLEY NORMAN	953 MICHIGAN AVE	\$5,451.19	\$10,733.95	\$16,185.14
19774300	R. L. BRAND JR	1848 MURPHY AVE	\$4,877.25	\$10,845.99	\$15,723.24
77735300	JOSEPHINE FERGUSON	2205 WILSON AVE	\$4,494.40	\$10,783.35	\$15,277.75
86601301	NEHEMIAH PROPERTIES	668 KENNEDY ST	\$5,399.24	\$9,737.33	\$15,136.57
97143300	WELLS MGMNT	5484 TRIMBLE RD	\$15,116.43	\$0.00	\$15,116.43
121539302	FORREST BROOK APARTMENTS	3540 N CAMP CREEK PKWY SW	\$0.00	\$14,926.88	\$14,926.88
72663300	RONALD WALKER	220 HOWELL DR	\$4,973.16	\$9,699.19	\$14,672.35
109505301	TURNER IN	87 LUCKIE ST	\$4,290.00	\$10,119.18	\$14,409.18
105666300	MARTHA HOUSTON	851 PARK ST	\$4,046.25	\$10,066.86	\$14,113.11
10771300	PRINCESS JACKSON	504 MAGNOLIA ST	\$4,117.63	\$9,774.98	\$13,892.61
60853300	JOHN THOMAS	1418 BOLTON RD	\$4,079.36	\$9,350.27	\$13,429.63
70303300	HERBERT DUKES	2971 DELMAR LN	\$4,867.48	\$8,468.91	\$13,336.39
104974300	HOLLY PROPERTIES LLC	399 HOLLY ST	\$4,502.65	\$8,384.99	\$12,887.64
22905301	CARRIE WILLIAMS	1424 BEECHER ST	\$3,595.71	\$8,407.48	\$12,003.19
105321301	OAK MANOR	1425 SIMPSON RD	\$3,777.22	\$8,132.58	\$11,909.80
126460300	PHILLIP ALLEN DBA	370 TARRAGON WAY SW	\$3,221.80	\$7,983.91	\$11,205.71
126519300	CHATTAHOOCHEE BRICK CO	2142 JAMES JACKSON PKWY	\$3,181.75	\$8,014.45	\$11,196.20
121951301	HIDDEN WOODS APTS LLC.	3100 GODBY RD SW	\$4,893.06	\$6,300.00	\$11,193.06
22873301	DANIEL DUNLAP	744 LAW ST	\$3,166.11	\$7,637.28	\$10,803.39
			\$174,132.16	\$329,989.06	\$504,121.22

*Balances as of 02/04/2010

NOTE: Conditions Subject to Write Off
 Third Party Collection Agency efforts were exhausted;
 Debtor cannot be located;
 Statute of Limitations has expired;
 Account is inactive and more than four years old;
 Accounts transferred to the Land Bank Authority (pursuant to City Council Legislation explicitly waiving water sewer charges);
 Debtor filed bankruptcy under Chapter 7

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance Executive Committee

Caption: AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WRITE OFF DEPARTMENT OF WATERSHED MANAGEMENT WATER AND WASTEWATER ACCOUNTS RECEIVABLE IN THE AMOUNT OF FIVE HUNDRED FOUR THOUSAND ONE HUNDRED TWENTY-ONE DOLLARS AND TWENTY - TWO CENTS (\$504,121.22) WHERE THE STATUTE OF LIMITATIONS FOR SUCH ACCOUNTS MAY RENDER THE BALANCE UNCOLLECTIBLE; AND OTHER FOR PURPOSES.

Council Meeting Date: February 24, 2010

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to write off uncollectible water and sewer accounts with balances \$10,000 and greater that are inactive and more than four years old.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

The City's auditors apply generally accepted accounting principles stating that accounts receivable of \$10,000 and greater that are inactive and more than four years should be written off to accurately reflect the value of accounts receivable assets in the City's financial statements. The aged accounts receivable referenced in this legislation have been subjected to internal collection processes and are on the general ledger. At the auditor's recommendation, the Department desires to perform an annual write-off of the accounts which it has deemed uncollectible.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center (Ex. Name and number):

Fund: _____ **Account:** _____ **Center:** _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: The Department of Watershed Management Accounts Receivable balance will be reduced by \$504,121.22

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Quinn Jackson (extension 6352)

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: Chief of Staff

Dept.'s Legislative Liaison: Maisha L. Wood

Contact Number: (404) 330-6887

Originating Department: Department of Watershed Management
Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: February 23, 2010

Anticipated Committee Meeting Date(s): March 10, 2010

Anticipated Full Council Date: March 15, 2010

Legislative Counsel's Signature: [Signature]

Commissioner Signature: Robert J. Hunter &P

Chief Procurement Officer Signature: n/a

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WRITE OFF DEPARTMENT OF WATERSHED MANAGEMENT WATER AND WASTEWATER ACCOUNTS RECEIVABLE IN THE AMOUNT OF FIVE HUNDRED FOUR THOUSAND ONE HUNDRED TWENTY-ONE DOLLARS AND TWENTY-TWO CENTS (\$504,121.22) WHERE THE STATUTE OF LIMITATIONS FOR SUCH ACCOUNTS MAY RENDER THE BALANCE UNCOLLECTIBLE; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): **\$504,121.22**

Mayor's Staff Only

Received by CPO: _____ (date) Received by LC from CPO: _____ (date)

Received by Mayor's Office: [Signature] 3/9/10 (date) Reviewed by: [Signature] (date)

Submitted to Council: _____ (date)